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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

OWYHEE PRODUCE LLC,
Plaintiffs,

v.

KIMBERLY PEREZ, an individual, MARK
PEREZ, an individual, EARLY BIRD
PRODUCE, and DOES 1 through 20, Inclusive,
Defendants.

Case No. C 07-04117 PVT

DECLINATION TO PROCEED
BEFORE A MAGISTRATE JUDGE
AND REQUEST FOR
REASSIGNMENT TO A UNITED
STATES DISTRICT JUDGE

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a United States District Judge.

Dated: August 28, 2007

JOHNSON & MONCRIEF, PLC



Paul W. Moncrief
Attorneys for Plaintiff
Owyhee Produce, LLC